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September 15, 2017

Honorable Andrew J. Peck
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

**Re: *BSG Resources (Guinea) Limited, et al. v. Soros, et al.*, No. 1:17-cv-02726 (JFK)
(AJP)**

Dear Judge Peck:

We represent non-party Natural Resource Governance Institute ("NRGI") and write to you in response to BSGR's memorandum of law in opposition to Defendants' objection to your entry of a protective order, filed on September 15, 2017, in order to correct the record. In its memorandum of law, BSGR has made a false and entirely baseless accusation against NRGI.

Contrary to BSGR's accusation of collusion, we first learned of Defendants' objection to the protective order when I received a PACER update at around 4:00 A.M. on September 8, 2017 notifying me that Defendants had filed an objection. I forwarded this to my colleague Alan Mendelsohn and asked him to take a look as it pertained to the protective order. The protective order is of great importance to our client because they are extremely sensitive about producing information in this case that potentially could be used for purposes other than this litigation. Alan pulled a PDF of the filing from PACER and emailed it to me along with a summary. I reviewed the filing and we decided that it did not make sense for NRGI to produce documents while the status of the protective order was in flux. NRGI's first document production is ready to go, and Alan had been planning to mail the disk to BSGR on September 8 before we learned that Defendants had objected to the protective order. I informed Nancy Savitt of Greenberg Traurig by email on the evening of September 8 that although our production was ready to go, we would hold off on sending it out until the protective order issue was straightened out. I noted in my email that our client is extremely sensitive about producing information in this case that could be used for purposes other than the litigation, and that we shared Defendants' view that a stricter protective order should be issued. I specifically asked Nancy to let me know if she wanted to discuss this, but she never responded to my September 8 email.

Neither Alan nor I know why the version of the PDF that Alan pulled from PACER on September 8, which I attached to my email to Nancy that evening, did not have an ECF filing stamp on it.

Sincerely,



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Partner

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